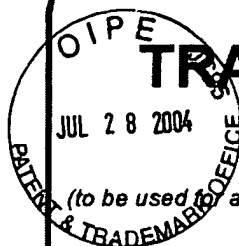


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(Modified) PTO/SB/21 (6-98)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	<b>09/888,324</b>		
	<b>Filing Date</b>	<b>June 22, 2001</b>	
	<b>First Named Inventor</b>	<b>Juha Punnonen</b>	
	<b>Group Art Unit</b>	<b>1644</b>	
	<b>Examiner Name</b>	<b>Ouspenski, I.</b>	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	<b>0169.310US</b>

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <b>plus 1 copy</b> <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <ul style="list-style-type: none"><li>• Sequence Listing (paper form) 259 p.</li><li>• Sequence Listing Diskette</li><li>• Statement under 37 CFR §1.821</li><li>• Copy of Examiner's Communication     dated 5/28/04</li><li>• Postcard</li></ul>
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### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Margaret A. Powers, Reg. No. 39,804	Maxygen, Inc.
Signature		
Date	July 23, 2004	

### Certificate of Mailing under 37 C.F.R. §1.8

I hereby certify that this is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, Mail Stop; Sequence on this date:

Typed or Printed Name: Diane D. Dunn

Date: 7/26/04

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/888,324

06/22/2001

Juha Punnonen

0169.310US

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05/28/2004

MAXYGEN, INC.

INTELLECTUAL PROPERTY DEPARTMENT

515 GALVESTON DRIVE

RED WOOD CITY, CA 94063

EXAMINER

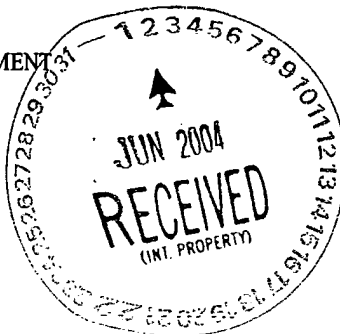
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ART UNIT

PAPER NUMBER

1644

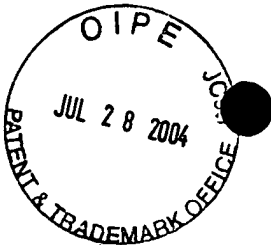
DATE MAILED: 05/28/2004



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Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED on/by 6/3 / 2004  
Atty: MAP PA  
File # 0169.310US  
Due Date 6/28/04 Ext RS-5  
Final Date 11/28/04 RSD-cl  
"Sec. History"



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09/888,324

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
1644	05262004

DATE MAILED:

COPY

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

1. The examiner of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Ilia Ouspenski, Group Art Unit 1644, Technology Center 1600.

2. Applicant's election, filed 3/26/04, of Group I, drawn to claims 259-301 and 368, drawn to polypeptides without traverse is acknowledged.

Claims 302-367 and 369-381 have been withdrawn from consideration by the examiner 37 CFR 1.142(b), as being drawn to nonelected inventions.

Claims 1-258 have been canceled previously.

3. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence.

Upon a review of the instant application, it is noted that there is no record that a copy of the Sequence Listing in computer readable form has been submitted in the instant application.

Applicant is reminded of the sequence rules which require a submission for all sequences of more than 9 nucleotides or 3 amino acids (see 37 CFR 1.821-1.825) and is also requested to carefully review the submitted specification for any and all sequences which require compliance with the rules.

Applicant is reminded to amend the specification and the claims accordingly.

Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. 131 and 132.

The examiner apologizes for any inconvenience to the applicant in this matter.

4. Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ILIA OUSPENSKI whose telephone number is 571-272-2920. The examiner can normally be reached on Monday-Friday 9 - 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on 571-272-0841. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PHILLIP GAMBEL  
PHILLIP GAMBEL, PH.D  
PRIMARY EXAMINER  
TECH CENTER 1600  
5/26/04

ILIA OUSPENSKI  
Examiner  
Art Unit 1644